

**TEXARKANA, TEXAS POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

<i>Effective Date</i> February 1, 2008		<i>Amended Date</i>		<i>Directive</i> 2.08.2	
<i>Subject</i> Disciplinary Review Panel					
<i>Reference</i>					
<i>Distribution</i> All Personnel City Manager City Attorney		<i>TPCA Best Practices Recognition Program Reference</i> No Reference		<i>Review Date</i> August 7, 2019	
				<i>Pages</i> 2	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this policy is to establish a Disciplinary Review Panel, which will be utilized to assess the evidentiary value of the information obtained from the investigation, make a finding, and recommend possible disciplinary action to be taken on personnel having substantiated complaints. The action of the Disciplinary Review Panel process is an advisory and discretionary internal peer review to assist the Chief of Police to make a balanced and reasonable decision concerning rules violations and discipline.

SECTION 2 POLICY

The Texarkana, Texas Police Department recognizes the value of ensuring fair and equal treatment of employees involved in disciplinary action. As such, it is the policy of the Texarkana, Texas Police Department that a Disciplinary Review Panel be established. The implementation of this policy does not create an entitlement or a grievance procedure otherwise established by the Department or should be construed to constitute a waiver or change of state and local civil service rules.

SECTION 3 PROCEDURES

A. CREATION OF DISCIPLINARY REVIEW PANEL

1. The Disciplinary Review Panel shall be made up of one Captain, one Lieutenant and one Sergeant, who are uninvolved in the disciplinary action under review.
2. Disciplinary Review Panel members shall be appointed by the Chief of Police. The Chief of Police reserves the right to change panel members and employ alternate or additional personnel.
3. The Chief of Police may modify, change, or adapt any portion of this Directive.
4. The Chief of Police is not legally bound to follow this process concerning any and all internal investigations or matters of discipline.

B. TERM OF DISCIPLINARY REVIEW PANEL

1. The term of each Disciplinary Review Panel member shall be no longer than twelve (12) months.

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2. Disciplinary Review Panel members serve at the pleasure of the Chief of Police, and as such, the Chief of Police reserves the right to remove any employee from the Panel.
3. Disciplinary Review Panel appointees who feel they have a conflict of interest or a good cause which might interfere with them making a fair and impartial decision on a disciplinary action under review, may request to be removed from the Panel for that proceeding. A replacement member will be selected to serve on the Panel for the duration of the specific disciplinary review.
4. Disciplinary Review Panel appointees may be removed by the Chief of Police in those instances where the Chief may have cause to believe a conflict of interest or other circumstances may exist which might otherwise interfere with them making a fair and impartial decision on the disciplinary action under review. In these instances, a replacement member will be selected to serve on the Panel for the duration of the specific disciplinary review.

C. REVIEW OF DISCIPLINARY ACTIONS

1. The Disciplinary Review Panel will have access to the Internal Affairs files and employee disciplinary files for the disciplinary action under review.
2. Any involved party may be called to appear before the Disciplinary Review Panel.
3. Recommendations made by the Disciplinary Review Panel are non-binding.

D. RESPONSIBILITY

1. All members of the Department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.